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EXAMINER
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ART UNIT	PAPER NUMBER
2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/339,733	COTTRILLE ET AL.	
	Examiner	Art Unit	
	Almari Romero	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 November 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *3* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 11/22/02.

2. The objection to the information disclosure statement has been withdrawn and all references as been considered based on Applicant's statement on page 6, 1st paragraph, affirming that it is applicants' understanding that the cited references were publicly available at least as early as the date on which they were downloaded from the Internet and printed.

3. The objection to the specification regarding the abstract, as been withdrawn based on Applicant's remarks on page 6, 2nd paragraph.

4. The objection to the specification regarding "cross references" has been withdrawn as necessitated by amendment.

5. The objection to the specification regarding "browser-executable code" has been withdrawn as necessitated by amendment.

6. The rejection of claims 1-28 under 35 U.S.C. 103(a) as being unpatentable over van Hoff and deVries et al. as been withdrawn as necessitated by amendment.

7. Claims 1-28 are pending in the case. Claims 1, 10, 22, 23, 24, and 25 are independent claims.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. **Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over van Hoff (USPN 5,822,539 - filed on 12/08/1995) in view of deVries et al. (USPN 6,332,144 B1 - filed on 12/03/1998), and in further view of Van Der Meer (USPN 6,289,362 B1 – filed on 09/1998).**

Regarding independent claim 1, van Hoff discloses:

A computing system for scalably managing annotations, the computing system comprising:

a server to store data for the annotations (van Hoff on col. 4, lines 22-37: teaches annotation proxy server 118 stores data of annotations to be annotated on document);

a tier I server to determine if a content source has data indexed by the tier II server (van Hoff on col. 6, lines 34-57: teaches server 104 providing the requested document to proxy server 118 to apply identified annotation).

However, van Hoff does not explicitly disclose, "a tier II server to maintain an index of the data for the annotations".

deVries et al. (deVries) on col. 7, lines 19-67: teaches index database server maintains an index database with an index of annotation data for query match.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff to provide maintaining index database with an index of annotation data for annotations incorporated into a server to be retrieved and annotated on a document in order to provide an efficient searching, browsing, and retrieving annotating media in a data processing network environment.

However, van Hoff and deVries do not explicitly disclose "tier III server" and "wherein the tier I server is separate and distinct from the tier II server".

Van Der Meer (Meer) on col. 4, lines 9-60, see figure 1: teaches content provider (tier I server) and diary server (tier II server) are both different and separate computer systems and teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a content provider (tier I server) and diary server (tier II server) as different and separate computer systems and provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 2, deVries discloses:

wherein the tier II server further stores a plurality of generic properties for the annotations (deVries on col. 2, lines 52-57: teaches annotation index with annotations values, identified times and probabilities).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff and Meer to provide a server maintaining index database with an index of annotation data for annotations stored on proxy

server 118 to be retrieved and annotated on a document in order to provide an efficient searching, browsing, and retrieving annotating media in a data processing network environment.

Regarding dependent claim 3, van Hoff discloses:

wherein the tier III server further stores one or more type specific properties for the annotations (van Hoff on col. 6, lines 27-45: teaches identify name or number of annotation) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claims 4-6, van Hoff discloses:

wherein the tier I, II, III server comprises a plurality of servers (van Hoff on col. 4, lines 22-37 and lines 57-62: teaches plurality of servers) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is

available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 7, van Hoff discloses:

wherein the tier III server further stores client software to allow a user to view a type of annotation (van Hoff on col. 6, lines 48-57: teaches annotation is performed on a proxy server 118 to prepare document prior to transmission of the document to the requesting client) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 8, van Hoff discloses:

wherein the content source is identified by a document identifier (van Hoff on col. 5, lines 1-26: teaches document identifier).

Regarding dependent claim 9, van Hoff discloses:

wherein the document identifier is selected from the group consisting of: a directory path, a uniform resource locator, and a file name (van Hoff on col. 5, lines 1-26: teaches document identifier is URL).

Regarding independent claim 10, van Hoff discloses:

A scalable computerized method of posting an annotation, the method comprising:

sending an annotation post from a client to a tier III server (van Hoff on col. 6, lines 34-57: teaches client requesting document with annotations);

storing a portion of the annotation on the tier III server (van Hoff on col. 6, lines 34-57: teaches APS server with stored annotation data);

sending a second portion of the annotation from the tier III server to a tier II server (van Hoff on col. 8, lines 64-66: teaches relevance information field about annotation);

storing the association information on the tier I server (van Hoff on col. 5, lines 1-26: teaches storing information associated with annotation such as a unique document identifier).

However, van Hoff does not explicitly disclose, "storing the second portion of the annotation on the tier II server and sending association information from the tier II server to a tier I server".

deVries on col. 7, lines 19-67: teaches stored portion of a digital representation (annotation) and sending matched identification number to the librarian 28).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff to provide a way to store portion of a digital representation such as annotations to send an identifier to server 104 in order to allow the flexibility in searching, browsing, and retrieving of annotations in a communication network environment.

However, van Hoff and deVries do not explicitly disclose "tier III server" and "wherein the tier I server is separate and distinct from the tier II server".

Meer on col. 4, lines 9-60, see figure 1: teaches content provider (tier I server) and diary server (tier II server) are both different and separate computer systems and teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a content provider (tier I server) and diary server (tier II server) as different and separate computer systems and provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 11, van Hoff discloses:

wherein the acts are performed in the order listed (van Hoff on col. 3, lines 11-21: teaches procedure for merging supplement information to associated document).

Regarding dependent claim 12, van Hoff discloses:

further comprising notifying the client of a successful post to the tier III server (van Hoff on col. 6, lines 5-32: teaches client in communication with a plurality of servers, which can notify each other if the transmission or receiving of data or documents was successful) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 13, van Hoff discloses:

further comprising notifying the client occurs prior to sending the second portion of the annotation to the tier II server (van Hoff on col. 6, lines 5-32: teaches client in communication with a plurality of servers wherein the servers can notify client browsers of a transmission of a requested data or document).

Regarding dependent claim 14, van Hoff discloses:

further comprising notifying the tier III server of a successful post to the tier II server (van Hoff on col. 6, lines 5-32: teaches server connected to a server for communication over the network, which a server can notify another server of a transmission or receiving of requested data or document) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is

available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 15, van Hoff discloses:

further comprising notifying the tier II server of a successful post to the tier I server (van Hoff on col. 6, lines 5-32: teaches server connected to a server for communication in which a server can notify another server of a transmission or receiving of requested data or document over the network).

Regarding dependent claim 16, van Hoff discloses:

wherein sending the annotation post from the client to the tier III server comprises sending a URL for the tier I server, a URL for the tier 11 server, a URL for the tier III server, a context document identifier, type specific annotation properties, generic annotation properties, and an annotation body (van Hoff on col. 5, lines 1-26: teaches URL identifies location of a particular server among a plurality of different servers) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 17, van Hoff discloses:

wherein storing a portion of the annotation on the tier III server comprises storing the annotation body and the type specific annotation properties (van Hoff on col. 6, lines 34-57: teaches storing data of annotations and col. 8, lines 4-29: teaches types of annotations) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 18, van Hoff discloses:

further comprising generating a unique identifier for the annotation body and type specific annotation properties stored on the tier III server (van Hoff on col. 6, lines 34-57: teaches generating unique document identifier) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 19, van Hoff discloses:

wherein sending a second portion of the annotation to the tier II server comprises sending a URL or the tier I server, a URL for the tier II server, a URL for the tier III server, a context document identifier, generic annotation properties, and the unique identifier (van Hoff on col. 5, lines 1-26: teaches URL for identifying locations of plurality of servers containing stored annotations) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 20, deVries discloses:

wherein storing the second portion of the annotation on the tier II server comprises storing the generic annotation properties, the URL for the tier III server, and the unique identifier (deVries on col. 7, lines 19-67: teaches stored portion of a digital representation (annotation)) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server

in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 21, van Hoff discloses:

wherein sending association information to the tier I server comprises sending the tier I server URL, the tier II server URL, the context document identifier and an indexing identifier storing the association information on the tier I server (van Hoff on col. 5, lines 1-26: teaches storing information associated with annotation such as a unique document identifier).

Regarding independent claims 22 and 23, van Hoff discloses:

A computer-readable medium having stored thereon a "client-to-tier III server"data structure for scalable annotations comprising:

a first field containing data representing a context document identifier (van Hoff on col. 5, lines 1-26: teaches document identifier);

a second field containing data representing a body of the annotation (van Hoff on col. 6, lines 34-57: teaches storing data of annotations and col. 8, lines 4-29: teaches types of annotations);

a fourth field containing data representing type specific properties of the annotation (van Hoff on col. 6, lines 27-45: teaches identify name or number of annotation);

a fifth field containing data representing a URL for a tier III server for receiving and storing a portion of the post of the annotation (van Hoff on col. 6, lines 5-18: teaches URL for annotation proxy server);

a seventh field containing data representing a URL for a tier I server for receiving and storing associations for the annotation (van Hoff on col. 5, lines 1-26: teaches URL for server 104).

However, van Hoff does not explicitly disclose, "third field containing data representing generic properties of the annotation and a sixth field containing data representing a URL for a tier II server for receiving and storing a portion of the post of the annotation".

deVries on col. 2, lines 52-57: teaches annotation index with annotations values, identified times and probabilities and on col. 7, lines 19-67: teaches stored portion of a digital representation (annotation)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff to provide a way to store portion of a digital representation such as annotations to send an identifier to server 104 in order to allow the flexibility in searching, browsing, and retrieving of annotations in a communication network environment.

However, van Hoff and deVries do not explicitly disclose "tier III server" and "wherein the URL for the tier I server is distinct from the URL for the tier II server".

Meer on col. 4, lines 9-60, see figure 1: teaches content provider (tier I server) and diary server (tier II server) are both different and separate computer systems with different URLs and teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a content

provider (tier I server) and diary server (tier II server) as different and separate computer systems and provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding independent claim 24, van Hoff discloses:

A computer-readable medium having stored thereon a "tier II server-to-tier I" server data structure for scalable annotations comprising:

a first field containing data representing a context document identifier (van Hoff on col. 5, lines 1-26: teaches document identifier);

a fourth field containing data representing a URL for a tier I server for receiving and storing associations for the annotation (van Hoff on col. 5, lines 1-26: teaches URL for server 104).

However, van Hoff does not explicitly disclose, "a second field containing data representing an indexing identifier of the annotation and a third field containing data representing a URL for a tier II server for indexing the annotation".

deVries on col. 7, lines 19-67: teaches index database server maintains an index database with an index of annotation data.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff to provide a server maintaining index database with an index of annotation data for annotations stored on proxy server 118 to be

retrieved and annotated on a document in order to provide an efficient searching, browsing, and retrieving annotating media in a data processing network environment.

However, van Hoff and deVries do not explicitly disclose "tier III server" and "wherein the URL for the tier I server is distinct from the URL for the tier II server".

Meer on col. 4, lines 9-60, see figure 1: teaches content provider (tier I server) and diary server (tier II server) are both different and separate computer systems with different URLs and teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a content provider (tier I server) and diary server (tier II server) as different and separate computer systems and provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding independent claim 25, van Hoff discloses:

A scalable computerized method for managing annotations, the method comprising:

storing within a tier I server a plurality of associations with references to a tier II server for each association (van Hoff on col. 5, lines 1-26: teaches storing information associated with annotation);

storing within a tier III server content for each one of the annotations (van Hoff on col. 4, lines 22-37: teaches annotation proxy server 118 stores data of annotations to be annotated on document);

receiving by the tier I server from a client a context document identifier (van Hoff on col. 5, lines 1-26: teaches receiving from client a URL for identifying locations of plurality of servers containing stored annotations); and

providing a first response to the client from the tier I server, wherein the first response comprises one for more associations for the context document identifier and the reference to the tier II server for each one of the associations (van Hoff on col. 5, lines 1-26: teaches client in communication with servers and providing URL that identifies location of a particular server among a plurality of different servers.

However, van Hoff does not explicitly disclose, "storing within a tier II server an indexing identifier for each one of the annotations and storing within the tier II server a reference to a tier III server for each one of the annotations".

deVries on col. 7, lines 19-67: teaches index database server maintains an index database with stored index of annotation data.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff to provide a server maintaining index database with an index of annotation data for annotations stored on proxy server 118 to be retrieved and annotated on a document in order to provide an efficient searching, browsing, and retrieving annotation data in a data processing network environment.

However, van Hoff and deVries do not explicitly disclose "tier III server" and "wherein the tier I server is separate and distinct from the tier II server".

Meer on col. 4, lines 9-60, see figure 1: teaches content provider (tier I server) and diary server (tier II server) are both different and separate computer systems and teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a content provider (tier I server) and diary server (tier II server) as different and separate computer systems and provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claims 26, van Hoff discloses:

further comprising: receiving by the tier II server from the client a selection identifying one of the associations for the context document identifier; providing a second response to the client from the tier II server, wherein the second response comprises a header for each one of the annotations associated with the context document identifier and the reference to the tier III server for each one of the annotations (van Hoff on col. 5, lines 1-26 and col. 6, lines 5-32: teaches client in communication with a plurality of servers and providing URL that identifies location of a particular server among a plurality of different servers to identify annotations requested by

client) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 27, van Hoff discloses:

further comprising: receiving by the tier III server from the client an annotation identifier; and providing a third response to the client from the tier III server, wherein the third response comprises a body for the annotation identified by the annotation identifier (van Hoff on col. 5, lines 1-26 and on col. 6, lines 5-32: teaches client in communication with a plurality of servers and providing a portion of annotation data to the user identified by the URL) and (Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

Regarding dependent claim 28, van Hoff discloses:

wherein the context document identifier is selected from the group consisting of: a uniform resource locator, a file name, and a directory path (van Hoff on col. 5, lines 1-26: teaches document identifier is URL).

Response to Arguments

10. Regarding Applicant's arguments filed on 11/22/02 are moot in view of the new ground(s) of rejection as necessitated by amendment.

A. Regarding Applicant's remarks on page 9, 3rd paragraph:

Referring to claim 1, Examiner agrees that van Hoff and deVries do not explicitly disclose "wherein the tier I server is separate and distinct from the tier II server". However, Meer on col. 4, lines 9-60, see figure 1: discloses the content provider as tier I server and the diary server as tier II server which are both different and separate computer systems.

B. Regarding Applicant's remarks page 10, 1st paragraph:

Referring to claim 7, van Hoff on col. 6, lines 48-57: teaches annotation is performed on a proxy server 118 to prepare document prior to transmission of the document to the requesting client and Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is

available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

C. Regarding Applicant's remarks on page 10, 4th paragraph – page 11, 1st paragraph:

Referring to claim 10, Examiner agrees that van Hoff and deVries do not explicitly disclose "wherein the tier I server is separate and distinct from the tier II server". However, Meer on col. 4, lines 9-60, see figure 1: discloses the content provider as tier I server and the diary server as tier II server which are both different and separate computer systems.

D. Regarding Applicant's remarks on page 11, 3rd and 4th paragraphs:

Referring to claims 12 and 14 van Hoff on col. 6, lines 5-32: teaches client in communication with a plurality of servers and server connected to a server for communication, in other words, when client and a plurality of servers are in communication a notification is produced based on transmission and receiving of data or documents over the network of computers and Meer on col. 4, lines 9-60: teaches a presentation context server (not shown in figure 1) (as tier III server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

E. Regarding Applicant's remarks on page 11, 5th paragraph:

Referring to claim 15, van Hoff on col. 6, lines 5-32: teaches server connected to a server for communication in which a server can notify another server of a transmission or receiving of requested data or document over the network.

F. Regarding Applicant's remarks on page 13, 1st paragraph:

Referring to claims 22-24, Meer on col. 4, lines 9-60, see figure 1: teaches content provider (tier I server) and diary server (tier II server) are both different and separate computer systems with different URLs and teaches a presentation context server (not shown in figure 1) (as tier III server) in communication with the diary server (tier II server).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Meer into van Hoff and deVries to provide a presentation context server (not shown in figure 1) (as tier III server) incorporated as a different type of server in communication with the web server (tier II server) to determine if the requested data is available which will advantageously enable content provider to target more appropriate users with advertisements and maintain control of objects displayed at the user's diary.

G. Regarding Applicant's remarks on page 14, 2nd paragraph:

Referring to claim 26, van Hoff on col. 5, lines 1-26 and col. 6, lines 5-32: teaches client in communication with a plurality of servers and providing URL that identifies location of a particular server among a plurality of different servers to identify annotations requested by client, in other words, annotations includes identifiers to be located at the server and Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server).

H. Regarding Applicant's remarks on page 14, 3rd paragraph:

Referring to claim 27, van Hoff on col. 5, lines 1-26 and on col. 6, lines 5-32: teaches client in communication with a plurality of servers and providing a portion of annotation data to the user identified by the URL, in other words, client can receive responses from a server when in communication over the network and Meer on col. 4, lines 9-60, see figure 1: teaches a presentation context server (not shown in figure 1) (as tier III server)).

I. Regarding Applicant's remarks on page 15:

Van Hoff (see figure 2) and deVries (see figure 1A) teaches, discloses, and suggests servicing requested client with annotations stored in servers. However, van Hoff does not explicitly disclose the "index database". deVries discloses an index database server with annotation data (0on col. 7, lines 19-67).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified deVries into van Hoff to provide maintaining index database with an index of annotation data for annotations incorporated into a server to be retrieved and annotated on a document in order to provide an efficient searching, browsing, and retrieving annotating media in a data processing network environment.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almari Romero whose telephone number is (703) 305-5945. The examiner can normally be reached on Mondays - Fridays (7:30am - 4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

AR
February 5, 2003

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